



DOCKET #: W3060

PROPOSED ZONING:
PB-L

EXISTING ZONING:
RS9

PETITIONER:
Ruth Beck
for property owned
by Same

SCALE: 1" represents 200'

STAFF: Roberts

GMA: 3

ACRES: 0.85

NEAREST BLDG: 20' north

MAP(S): 612842



April 21, 2010

Ruth Beck
P. O. Box 25345
Winston-Salem, NC 27114

RE: ZONING MAP AMENDMENT W-3060

Dear Ms. Beck:

The attached report of the Planning Board to the City Council is sent to you at the request of the Council Members. You will be notified by the City Secretary's Office of the date on which the Council will hear this petition.

Sincerely,

A. Paul Norby, FAICP
Director of Planning

pc: City Secretary's Office, P.O. Box 2511, Winston-Salem, NC 27102
T. E. Brewer, 230 Barney Road, High Point, NC 27265

ACTION REQUEST FORM

DATE: April 21, 2010
TO: The Honorable Mayor and City Council
FROM: A. Paul Norby, FAICP, Director of Planning

COUNCIL ACTION REQUEST:

Request for Public Hearing on Zoning Petition of Ruth Beck

SUMMARY OF INFORMATION:

Zoning Petition of Ruth Beck from RS-9 to PB-L (Retail Store; Residential Building, Single Family; and Offices): property is located on the west side of Griffith Road and east side of Van Buren Street, south of Frontis Street (Zoning Docket W-3060).

PLANNING BOARD ACTION:

MOTION ON PETITION: APPROVAL.
FOR: UNANIMOUS
AGAINST: NONE
SITE PLAN ACTION: NOT REQUIRED

CITY ORDINANCE - SPECIAL USE LIMITED DISTRICT

Zoning Petition of Ruth Beck, Docket W-3060

AN ORDINANCE AMENDING THE
WINSTON-SALEM CITY
ZONING ORDINANCE AND THE
OFFICIAL ZONING MAP OF
THE CITY OF WINSTON-SALEM, N.C.

BE IT ORDAINED by the City Council of the City of Winston-Salem as follows:

Section 1. The Winston-Salem City Zoning Ordinance and the Official Zoning Map of the City of Winston-Salem, N.C. are hereby amended by changing from RS-9 to PB-L (Retail Store; Residential Building, Single Family; and Offices) the zoning classification of the following described property:

PIN #6814-23-8566

Section 2. This Ordinance is adopted after approval of the Special Use Limited District Permit issued by the City Council the _____ day of _____, 20____ to Ruth Beck.

Section 3. The City Council hereby directs the issuance of a Special Use Limited District Permit pursuant to the Zoning Ordinance of the *Unified Development Ordinances* for a development to be known as Ruth Beck. Said Special Use Limited District Permit with conditions is attached hereto and incorporated herein.

Section 4. This Ordinance shall be effective from and after its adoption.

CITY - SPECIAL USE LIMITED DISTRICT PERMIT

SPECIAL USE LIMITED DISTRICT PERMIT

Issued by the City Council
of the City of Winston-Salem

The City Council of the City of Winston-Salem issues a Special Use Limited District Permit for the zoning petition of Ruth Beck, (Zoning Docket W-3060). The site shall be developed in accordance with the conditions approved by the Board and the following uses: PB-L (Retail Store; Residential Building, Single Family; and Offices), approved by the Winston-Salem City Council the _____ day of _____, 20____" and signed, provided the property is developed in accordance with requirements of the PB-L zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the Erosion Control Ordinance, and other applicable laws, and the following additional conditions be met:

- **PRIOR TO THE ISSUANCE OF ANY PERMITS:**
 - a. Developer shall obtain a driveway permit from City of Winston-Salem Public Works Department. Improvements may include extension of the curb and gutter and sidewalk from the property line southward to the driveway said the along the frontage of Van Buren Street.

- **PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR ANY NEW CONSTRUCTION AFTER APRIL 30 2010:**
 - a. Any new principal building constructed on the site shall be oriented to and have its main pedestrian entrance on Griffith Road with parking located to the side or rear.
 - b. Developer shall obtain a new driveway permit from City of Winston-Salem Public Works Department. Improvements may include completion of the curb and gutter and sidewalk along the remaining frontage of Van Buren Street and along Griffith Road.

**CITY-COUNTY PLANNING BOARD
STAFF REPORT**

PETITION INFORMATION	
Docket #	W-3060
Staff	Gary Roberts, Jr. AICP
Petitioner(s)	Ruth Beck
Owner(s)	Same
Subject Property	PIN # 6814-23-8566
Address	2055 Van Buren Street
Type of Request	Special Use Limited rezoning from RS-9 to PB-L
Proposal	<p>The petitioner is requesting to amend the Official Zoning Maps for the subject property from RS-9 (Residential, Single Family; 9,000 sf minimum lot size to PB-L (Pedestrian Business - Special Use Limited District). The petitioner is requesting the following uses:</p> <ul style="list-style-type: none"> • Retail Store; Residential Building, Single Family; and Offices
Zoning District Purpose Statement	<p>Purpose. The PB District is primarily intended to accommodate office, retail, service, institutional, and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of Winston-Salem, and the central core of other municipalities in the County. The district should demonstrate pedestrian oriented design through elements such as buildings pulled up to the street, on-street parking, street trees, covered arcades, awnings, storefront display windows, public/private outdoor spaces, wide sidewalks, and building entrances facing the street. This district is intended for application in Growth Management Areas 1, 2 and 3.</p>
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	<p>(R)(1) - Is the proposal consistent with the purpose statement(s) of the requested zoning district(s)?</p> <p>Yes, the site is located within GMA 3, adjacent to PB-S zoning and is within an area recommended for mixed use by the adopted area plan.</p>
GENERAL SITE INFORMATION	
Location	West side of Griffith Road and east side of Van Buren Street, south of Frontis Street
Jurisdiction	City of Winston-Salem
Ward(s)	South
Site Acreage	± .85 acre
Current Land Use	A single family home is currently located on the site.

Surrounding Property Zoning and Use	Direction	Zoning District	Use	
	North	PB-S	Commercial use	
	East	GB	hhgregg	
	South	RS-9	Single family home	
	West	LB-S	Jimmie's Seafood	
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(2) - Is/are the use(s) permitted under the proposed classification/request compatible with uses permitted on other properties in the vicinity?			
	Yes, the proposed uses are compatible with the adjacent commercial uses.			
Physical Characteristics	The site has a gentle slope downward to the north.			
Proximity to Water and Sewer	Public water and sewer are available to the site.			
Stormwater/ Drainage	No known issues			
Watershed and Overlay Districts	The site is not within a water supply watershed.			
Analysis of General Site Information	The site appears to possess no constraints and to be suitable for development within the proposed PB district.			
SITE ACCESS AND TRANSPORTATION INFORMATION				
Street Name	Classification	Frontage	ADT Count	Capacity/LOS D
Griffith Road	Minor Thoroughfare	182'	5,600	16,100
Van Buren Street	Local Street	179'	NA	NA
Proposed Access Point(s)	Because this is a Special Use Limited request with no site plan or access conditions, the exact location of access points is unknown; however, the site does have public road frontage on Griffith Road and Van Buren Street.			
Planned Road Improvements	The Comprehensive Transportation Plan recommends a three lane section with wide outside lanes, curb and gutter and sidewalks for Griffith Road.			
Trip Generation - Existing/Proposed	<u>Existing Zoning: RS-9</u> $.85 \times 43,560 \text{ sf} / 9,000 = 4 \text{ units} \times 9.57 \text{ (SFR Trip Rate)} = 38 \text{ Trips per Day}$ <u>Proposed Zoning: PB-L</u> No trip rate is available with the proposed request which has no site plan.			
Sidewalks	Sidewalks were required along both street frontages on the adjacent lot to the north upon its rezoning to PB-S. Sidewalks will similarly be required on the subject property should a new structure be constructed on the site.			
Transit	Route 43 along Griffith Road			

Analysis of Site Access and Transportation Information	Staff does not anticipate any negative transportation impacts from this request. Sidewalks will be required on the subject property should a new structure be constructed on the site (see proposed conditions for details).
CONFORMITY TO PLANS AND PLANNING ISSUES	
Legacy GMA	Growth Management Area 3, Suburban Neighborhoods
Relevant Legacy Recommendations	<ul style="list-style-type: none"> • <i>Infill and Redevelopment</i>: Encourage redevelopment and reuse of existing sites and buildings which are visually compatible with the surrounding area. • <i>Community Services</i>: Permit services near where people live including places of worship and other institutions in a manner that is compatible with surrounding uses, and provide retail and service uses within walking and bicycling distance of neighborhoods. (p. 148)
Relevant Area Plan(s)	<i>Southwest Suburban Area Plan, 2009</i>
Area Plan Recommendations	<ul style="list-style-type: none"> • The property is located in the South Stratford Road/Burke Mill Road Commercial/Multifamily Mixed-Use Area. This area is primarily commercial uses along with a small percentage of older single-family residential development. This single-family residential development is likely to redevelop in the near future. Development in the mixed-use area should have pedestrian connections to the residential/office development south of Burke Mill Road. • Future development should incorporate pedestrian-scaled architectural detailing and allow for a visual connection between the public realm and activity inside buildings. Sidewalks and street trees should also accompany new development here, and a conscious effort should be made to link this area to the South Stratford MAC and Hanes Mall Mixed-Use area. (p.35) • The property is shown for commercial use on the Proposed Land Use Map (Map 7-pp. 38-39).
Applicable Rezoning Consideration from Chapter B, Article VI, Section 6-2.1(R)	(R)(3) - Have changing conditions substantially affected the area in the petition?
	The surrounding area has experienced significant multifamily and commercial development leading up to the adoption of the area plan in 2009.
	(R)(4) - Is the requested action in conformance with Legacy?
	Yes
Analysis of Conformity to Plans and Planning Issues	The request to rezone the subject property from RS-9 to PB-L is consistent with the surrounding zoning and development pattern. It is also consistent with <i>Legacy's</i> infill recommendations and the recommendations of the <i>Southwest Suburban Area Plan (SWSAP)</i> , as the proposed district allows for a mixture of uses.

The site currently contains a modest sized, single family home which could be converted into a retail or office establishment, if this request is approved. However, considering the size of the site and its general location, it is feasible that said structure could be removed and the site completely redeveloped. In that light, staff would like to emphasize the specific pedestrian scaled design elements of the PB district which would apply to such a redevelopment. These elements include buildings pulled up to the street, sidewalks, building entrances facing the street, windows, awnings, etc. Because the site has two street frontages, staff would recommend that any new buildings should orient their front façade to Griffith Road which is the primary north/south connector in the general area and not to Van Buren Street (see proposed conditions for details).

RELEVANT ZONING HISTORIES

Case	Request	Decision & Date	Direction from Site	Acreage	Recommendation	
					Staff	CCPB
W-3019	PB-S to PB-S	Approved 4-6-09	Directly north	.52	Approval	Approval
W-3014	RS-9 to PB-S TWO PHASE	Approved 2-2-09	500' southwest	2.32	Approval	Approval

CONCLUSIONS TO ASSIST WITH RECOMMENDATION

Positive Aspects of Proposal	Negative Aspects of Proposal
Request is consistent with the recommendations of <i>Legacy</i> and the <i>Southwest Suburban Area Plan</i> .	
Request is consistent with the purpose statement of the proposed PB district.	
Request is compatible with the surrounding development pattern.	

SITE-SPECIFIC RECOMMENDED CONDITIONS OF APPROVAL

The following proposed conditions are from interdepartmental review comments and are proposed in order to meet codes or established standards, or to reduce negative off-site impacts.

- **PRIOR TO THE ISSUANCE OF ANY PERMITS:**
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STAFF RECOMMENDATION: Approval

NOTE: These are **staff comments** only; final recommendations on projects are made by the City-County Planning Board, with final decisions being made by the appropriate Elected Body, who may approve, deny, table or request modification for any project. **THE APPLICANT OR REPRESENTATIVE IS STRONGLY ENCOURAGED TO ATTEND THE PUBLIC HEARINGS WHERE THE CASE WILL BE CONSIDERED BY THE PLANNING BOARD AND THE ELECTED BODY.**

PUBLIC HEARING

FOR: None

AGAINST: None

WORK SESSION

MOTION: Clarence Lambe moved approval of the zoning map amendment.

SECOND: Wesley Curtis

VOTE:

FOR: Wesley Curtis, Arnold King, Clarence Lambe, Darryl Little, Barry Lyons, Lynne Mitchell, Paul Mullican

AGAINST: None

EXCUSED: None

A. Paul Norby, FAICP
Director of Planning